

LEGISLATURE OF NEBRASKA  
 ONE HUNDREDTH LEGISLATURE  
 SECOND SESSION  
**LEGISLATIVE BILL 480**

FINAL READING

Introduced by Johnson, 37.

Read first time January 17, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to health care; to amend section 71-7605,  
 2 Reissue Revised Statutes of Nebraska, and section  
 3 71-7611, Revised Statutes Supplement, 2007; to change and  
 4 eliminate provisions relating to credit and transfers  
 5 of funds, legislative intent, certain federal actions,  
 6 reports on health care access and expenditures, funds,  
 7 and a council; to provide an operative date; to repeal  
 8 the original sections; to outright repeal sections  
 9 71-7601, 71-7602, 71-7604, and 71-7609, Reissue Revised  
 10 Statutes of Nebraska, section 71-7610, Revised Statutes  
 11 Cumulative Supplement, 2006, and sections 71-7603 and  
 12 71-7614, Revised Statutes Supplement, 2007; and to  
 13 declare an emergency.

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1 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 71-7605, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           71-7605 Sections 71-7605 to ~~71-7614~~ 71-7611 shall be  
4 known and may be cited as the Nebraska Health Care Funding Act.

5           Sec. 2. Section 71-7611, Revised Statutes Supplement,  
6 2007, is amended to read:

7           71-7611 (1) The Nebraska Health Care Cash Fund is  
8 created. The State Treasurer shall transfer fifty-five million  
9 dollars annually no later than July 15 from the Nebraska Medicaid  
10 Intergovernmental Trust Fund and the Nebraska Tobacco Settlement  
11 Trust Fund to the Nebraska Health Care Cash Fund, except that  
12 such amount shall be reduced by the amount of the unobligated  
13 balance in the Nebraska Health Care Cash Fund at the time the  
14 transfer is made. The state investment officer upon consultation  
15 with the Nebraska Investment Council shall advise the State  
16 Treasurer on the amounts to be transferred from the Nebraska  
17 Medicaid Intergovernmental Trust Fund and from the Nebraska Tobacco  
18 Settlement Trust Fund under this section in order to sustain such  
19 transfers in perpetuity. The state investment officer shall report  
20 to the Legislature on or before October 1 of every even-numbered  
21 year on the sustainability of such transfers. Except as otherwise  
22 provided by law, no more than fifty-five million dollars may be  
23 appropriated or transferred from the Nebraska Health Care Cash Fund  
24 in any fiscal year.

25           (2) Any money in the Nebraska Health Care Cash Fund

1 available for investment shall be invested by the state investment  
2 officer pursuant to the Nebraska Capital Expansion Act and the  
3 Nebraska State Funds Investment Act.

4 (3) One million dollars in the Nebraska Health Care Cash  
5 Fund is designated each year for the Autism Treatment Program  
6 Act for five fiscal years beginning in fiscal year 2007-08 and  
7 shall be distributed in each fiscal year as follows: (a) First,  
8 to the Department of Health and Human Services for costs related  
9 to application and implementation of the waiver; (b) second, to  
10 the department for other medical costs for children who would  
11 not otherwise qualify for medicaid except for the waiver; and (c)  
12 third, the balance to the Autism Treatment Program Cash Fund. The  
13 State Treasurer shall transfer the balance of the funding to the  
14 Autism Treatment Program Cash Fund based on the estimated costs  
15 of administrative and other medical costs as determined by the  
16 Legislature through the appropriation process. The transfers to  
17 the Autism Treatment Program Cash Fund in any fiscal year shall  
18 be contingent upon the receipt of private matching funds under  
19 the Autism Treatment Program Act, with no less than one dollar of  
20 private funds received for every two dollars transferred from the  
21 Nebraska Health Care Cash Fund to the Autism Treatment Program Cash  
22 Fund.

23 (4) The University of Nebraska and postsecondary  
24 educational institutions having colleges of medicine in Nebraska  
25 and their affiliated research hospitals in Nebraska, as a condition

1 of receiving any funds appropriated or transferred from the  
2 Nebraska Health Care Cash Fund, shall not discriminate against any  
3 person on the basis of sexual orientation.

4           Sec. 3. This act becomes operative on July 15, 2008.

5           Sec. 4. Original section 71-7605, Reissue Revised  
6 Statutes of Nebraska, and section 71-7611, Revised Statutes  
7 Supplement, 2007, are repealed.

8           Sec. 5. The following sections are outright repealed:  
9 Sections 71-7601, 71-7602, 71-7604, and 71-7609, Reissue Revised  
10 Statutes of Nebraska, section 71-7610, Revised Statutes Cumulative  
11 Supplement, 2006, and sections 71-7603 and 71-7614, Revised  
12 Statutes Supplement, 2007.

13           Sec. 6. Since an emergency exists, this act takes effect  
14 when passed and approved according to law.